REMARKS

Favorable reconsideration of this application, in light of the following discussion and in view of the present amendment, is respectfully requested.

Claims 1, 3-6 and 15-26 are pending in the present application. Claims 2, 7-14 and 20 are canceled, claims 1, 3-6 and 15-19 are amended and new claims 21-26 are added by the present amendment.

I.   Rejection under 35 USC § 102

Claims 1-4, 6-12, 14-16 and 18-20 were rejected under 35 USC § 102(b) as anticipated by U.S. Patent Number 5,642,412 to Walsh et al. (herein "Walsh"). This rejection is respectfully traversed.

Amended independent claim 1 recites a switch which sets "a using situation to a business mode for business use or a private mode for personal use," and a control part which automatically selects "a function and/or information from the managing part depending on the using situation set by the switch," support for which is found in the originally filed specification at least at page 7, lines 18-35. The control part also makes "the selected function and/or information usable by a user." Independent claim 18 is amended to include similar features.

As an advantage, it is possible for a user to quickly and accurately access a desired function and/or information (see the specification at page 7, lines 33-35).

In contrast, Walsh only discusses a computer including routines for uniformly establishing precedential rules for retrieving application program data based on call information and automatically executing established precedential rules in response to transmitted call information. Further, Walsh at col. 5, line 57 to col. 6, line 11 only discusses a computer 10 used in a large university. The computer 10 handles applications such as a database of student grade data, a database of student loan data, or a spreadsheet including charitable contribution information. The computer 10 in the cited portion of Walsh and each of the application programs discussed in Walsh only relate to a computer run by a university—further, each of the applications discussed in Walsh relate only to school-related matters such as student loans and charitable contributions (presumably to the university), but do not discuss or suggest setting "a using situation to a business mode for business use or a private mode for personal use," as in amended independent claims 1 and 18.

Accordingly, it is respectfully submitted independent claims 1 and 18 and each of the claims depending therefrom patentably distinguish over Walsh.

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Amended independent claim 6 recites a detector which detects "a using situation based on information selected from at least one of an electronic mail address received from another party, an electronic mail address transmitted to another party, position information indicating a position of the apparatus, and mode information indicating an operation mode of the apparatus," support for which is found in the originally filed specification at least at page 11, lines 7-35. Amended independent claim 6 further recites a control part which automatically selects "a function and/or information from the managing part depending on the using situation detected by the detector," and which makes "the selected function and/or information usable by a user." Amended independent claim 19 includes similar features.

As an advantage, a using situation detected based on a received or sent electronic mail address, or the position of the apparatus, or the operation mode of the apparatus automatically causes a function where information appropriate for the detected using situation is displayed to the user for selection (see the specification at page 11, lines 27-35).

In contrast, Walsh only discusses a call processor which retrieves application program data based on call information, as discussed above. Walsh does not discuss or suggest detecting based on at least one of "an electronic mail address received from another party, an electronic mail address transmitted to another party, position information indicating a position of the apparatus, and mode information indicating an operation mode of the apparatus," as in amended independent claims 6 and 19.

Accordingly, it is respectfully submitted independent claims 6 and 19 and each of the claims depending therefrom also patentably distinguish over Walsh.

II.   Rejections under 35 USC § 103

Claim 5 was rejected under 35 USC § 103(a) as unpatentable over Walsh and U.S. Patent Number 6,047,062 to Bijman (herein "Bijman"); claim 13 was rejected under 35 USC § 103(a) as unpatentable over Walsh and U.S. Patent Number 6,477,374 to Shaffer et al. (herein "Shaffer"); and claim 17 was rejected under 35 USC § 103(a) as unpatentable over Walsh and Bijman. These rejections are respectfully traversed.

Claim 5 depends on independent claim 1, and claims 13 and 17 depend on independent claim 6, which as discussed are believed to patentably distinguish over Walsh. Moreover, Bijman only discusses a method of updating information stored in a database used in a telephone system, but does not suggest modifying Walsh to include all of the features of independent claims 1 and 6. Further, claim 13 is canceled without prejudice.

Accordingly, it is respectfully submitted claims 5 and 17 also patentably distinguish over Walsh and Bijman.

III.   New Claims

In addition, new claims 21-26 are added to set forth the invention in a varying scope. Support for new claim 21 is found in the originally filed specification at least at page 12, line 29 to page 14, line 25; support for new claim 22 is found in the originally filed specification at least at page 9, lines 16-23; support for new claim 23 is found in the originally filed specification at least at page 9, lines 23-27; support for new claim 24 is found in the originally filed specification at least at page 10, lines 11-15; support for new claim 25 is found in the originally filed specification at least at page 15, lines 2-25; and support for new claim 26 is found in the originally filed specification at least at page 16, line 36 to page 17, line 1.

New claim 21 recites "indicating one of a business mode for business use and a private mode for personal use based on the time of day". As an advantage, when certain hours of the day are designated as business hours, an apparatus can automatically set the using mode to the business mode without user intervention (see the specification at page 14, lines 20-25).

In contrast, Walsh only discusses a computer-telephone integration system which retrieves application program data based on call information, but does not discuss or suggest selecting a using mode based on time of day, as in new claim 21. Accordingly, it is respectfully submitted new claim 21 also patentably distinguishes over Walsh.

Also, new claims 22-24 and 26 depend on claim 21, and new claim 25 depends on claim 6. Accordingly, new claims 22-26 are believed to patentably distinguish over the cited art at least for similar reasons as amended independent claims 1 and 6.

IV.   Amendments to the Drawings

In addition, Figures 5 and 7 are amended only to correct minor informalities. It is believed no new matter is added.

V.   Status of the Drawings

It is respectfully requested the status of the drawings filed March 13, 2001, as amended, be acknowledged in the next office communication.

VI. Conclusion

Consequently, in light of the above discussion and in view of the present amendment, this application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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